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Conceded

12-15. (Amended) The method according to claim 12, wherein several complete images of the flesh to be processed are recorded, at a rate of 25 images per minute, and image details and/or complete images are stored and later processed for control of the separating means.

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12-26. The device according to claim 1, wherein the separating means comprises at least two essentially parallel, spaced-apart circular blades arranged within an angular range from 45° to 90° to the conveyor belt.--

#### REMARKS

Applicants appreciate the Examiner's acknowledgment of the claim for priority under 35 USC 119 and receipt of the foreign priority document.

Applicants respectfully request the Examiner initial, sign and return a copy of the PTO-1449 form submitted with the Information Disclosure Statement filed on January 25, 2001. A copy is enclosed for the Examiner's convenience.

Submitted herewith is a separate letter to the Official Draftsperson including formal drawings, Figs. 1-8.

Claims 1-15 have been rejected under 35 USC 102(b) as being anticipated by Young et al, US 5,580,306. Applicants request reconsideration of the rejection for the following reasons.

The Examiner relies upon Young for disclosing a device for processing flesh as claimed by Applicants that includes a position detection element 190 and at least one regulating and control device 172, 180. The Examiner refers to col. 4, lines 28-34 and col. 17, lines 1-12 and 14-18 of the reference. However, Applicants request reconsideration of the rejection because Young discloses a different apparatus and method as compared with that of the present invention.

For example, Young cites the need for an automated system that provides control over the loin knife and scribe saw operations for optimizing yield and reducing waste. This is achieved by Young with a control system that includes an imaging system. In particular, the imaging system generates a top plan image of the side of the meat and processes the image to locate a backbone line and a fat/lean separation line on the side of the meat. See col. 2, lines 47-54 and col. 4, lines 28-33 of the reference, for example. As set forth in Young with respect to Fig. 9, the primary function of imaging system 190 is to provide imaging data and digital image processing to a controller 172 for determining the necessary modifications to pre-programmed scribe and loin pull profiles based upon the dimensions of the pork side. See col. 17, lines 24-30 of Young.

On the other hand, Applicants claim that the regulating and/or control device provides information to be

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recorded and processed into data of at least two kinds so that separating cuts and/or trimming cuts can be made with the separating means. (The two kinds of data are data relating to the topology of the meat and data relating to the geometry/position of a piece of meat, for example. The data relating to the topology of the meat is obtained in order to permit trimming cuts to be performed for removing fat from the meat. The data relating to the geometry/position of a piece of meat is obtained in order to perform separating cuts for the cutting of portions. The trimming cut may simultaneously be the separating cut or the two cuts may be made individually. As a result, an entire fillet is processed by the device to yield separated and trimmed final products.

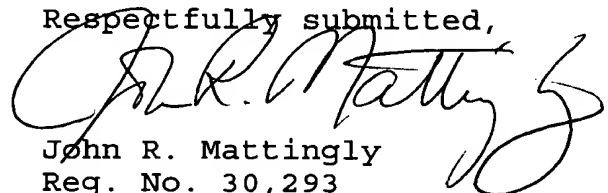
As compared with the present invention, Young only discloses data concerning the position/geometry of the meat as measured by the vision system 190. (There is no discussion in Young of generating data relating to the topology of the meat.) Accordingly, the separation apparatus of (Young does not disclose an element for position detection that provides information to be recorded and processed into data of at least two kinds.) Instead, Young merely discloses optimizing the separating cut to obtain a higher yield of meat. Accordingly, Young does not disclose or fairly suggest the device set forth in claim 1.

Claims 2-15 and new claim 16 are each dependent claims having claim 1 as a base claim. Accordingly, each of these claims sets forth a combination of the invention not shown or suggested by Young or the remainder of the art of record. For example, claim 4 sets forth that the element for position detection includes at least one transmitter, at least one receiver, at least one shading element and at least one computer-assisted image processing system, which are not shown in Young. Further, these claims are also patentable for depending from a base claim that Applicants assert is allowable for the foregoing reasons. Accordingly, claims 2-16 should also be found allowable.

The rejection under 35 U.S.C. § 112, second paragraph has been overcome by amending the claims objected to by the Examiner. Accordingly, the objection should be withdrawn.

In view of the foregoing amendments and remarks, reconsideration and reexamination are respectfully requested.

Respectfully submitted,

  
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plane of the [at least one] circular blades [(13)] lies essentially perpendicularly to the conveying plane.

9. (Twice Amended) The device [Device] according to claim 8, [characterized in that] wherein the separating means [(12)] comprises at least one [additional] blade in addition to said two blades [(21)] whose cutting plane selectively lies essentially parallel or essentially perpendicularly to the conveying plane.

10. (Twice Amended) The device [Device] according to claim 9, [characterized in that] wherein the transmitter [(7)] is a light source and the receiver [(8)] is an optoelectronic system.

11. (Amended) The device [Device] according to claim [10]4, [characterized in that] wherein the receiver [(8)] is a camera.

12. (Amended) A method [Method] for processing flesh, including the following steps:

transport of the flesh by a transport means [(3)] into the processing region of a device for processing flesh[, in particular] according to claim 11,

detection of the position and/or properties of the flesh by means of [an] the element [(11)] for position detection by recording information and processing [it] the information into the data of two kinds,

driving the separating means [(12)] with [a] the regulating and/or control device [(22)] and performing separating cuts and/or trimming cuts with the aid of the detected data according to a preselected processing program.

13. (Amended) The method [Method] according to claim 12, [characterized in that] wherein the element [(11)] for position detection processes the recorded information into geometrical data and/or image data and accordingly via the regulating and control means [(22)] controls the separating means [(12)] to perform separating cuts and/or trimming cuts.

14. (Amended) The method [Method] according to claim 12, [characterized in that] wherein images are recorded by means of a camera.

15. (Amended) The method [Method] according to claim 12, [characterized in that] wherein several complete images of the flesh to be processed are recorded, [preferably] at a rate of 25 images per minute, and image details and/or complete images

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are stored and later processed for control of the separating means [(12)].